

GILLETTE CASE IS SENT TO THE JURY AND PROMPT VERDICT IS EXPECTED

HEARSTISM RAPPED IN THE PRESIDENTIAL MESSAGE

Declares that Demagogue Is the Most Dangerous of America's Citizens.

PAYS TRIBUTE TO JAPAN

Wants a Law to Allow that Country's People Equality with Other Races.

(Special to The Evening World.)

WASHINGTON, Dec. 4.—President Roosevelt's message to Congress was read in the House to-day. It is a somewhat labored document, but it plunges into most of the questions now before the public and without apparent regard for consequences.

The chief feature is a bitter attack on demagogues, in which the Rooseveltian guns of invective and abuse are turned clearly against William R. Hearst. The President warns the people of the danger of selecting a government that might be controlled or influenced by such ideas as are so freely urged at present throughout the country.

The President draws attention to the strained situation between Japan and the United States over the refusal of the San Francisco authorities to allow Japanese in the public schools. He sees a menace to the progress of this country in the circumstances that may result from the attitude of California, and calls upon Congress to pass a law granting citizenship to Japanese who come here to establish a home.

Through the message the President uses the Brander Matthews brand of spelling. The words selected in this style are thru, altho, exprost, thoro, stoop, past for passed, thruout and unlookt.

The points of the message are as follows: 1. Again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party. Such a bill has already passed one house of Congress. Let individuals contribute as they desire, but let us prohibit in effective fashion all corporations from making contributions for any political purpose directly or indirectly.

Another bill which has just passed one house of the Congress and which it is urgently desired should be enacted into law is that conferring upon the Government the right of appeal in criminal cases on questions of law. A failure to pass it will result in seriously hampering the Government in its effort to obtain justice, especially against wealthy individuals or corporations who do wrong, and may also prevent the Government from obtaining justice for wage-workers who are not themselves able effectively to contest a case where the judgment of an inferior court has been against them.

The importance of the bill is further increased by the fact that the Government has now definitely begun a policy of resorting to the criminal law in those trust and interstate commerce cases where such a course offers a reasonable chance of success.

Lynching and the Prevalence of Crime. I call your attention and the attention of the Nation to the prevalence of crime among us, and above all to the epidemic of lynching and mob violence that springs up, now in one part of our country, now in another. To deal with the crime of corruption it is necessary to have an awakened public conscience, and to supplement this by whatever legislation will add speed and certainty to the execution of the law. When we deal with lynching even more is necessary. In my judgment, the crime of rape should always be punished with death, and with intent to commit rape should be made a capital crime, at least in the discretion of the courts and provision should be made by which the punishment may follow immediately upon the heels of the offense, while the trial should be so conducted that the victim need not be vainly shamed while giving testimony, and that the least possible publicity shall be given to the details.

Labor and Capital and Preachers of Discontent. In dealing with both labor and capital, with the questions affecting both corporations and trades unions, there

(Continued on Second Page)

Points Covered in the Message to Congress by President Roosevelt.

It recommends that steps be taken to prevent the contribution of funds to political parties by corporations.

Suggests that power of appeal be granted to the United States Government in cases of suits against corporations.

Suggests that to abolish lynching a law be passed making rape or attempt to commit rape a capital crime.

Denounces demagoguery and Hearstism, and suggests legislation that will help to end the spirit of unrest.

Favors an eight-hour day, inspection of the child and woman labor question and declines to believe that labor conditions in Panama should be put on a par with those in this country.

Mildly improves the trusts, and admits that it is impossible to entirely control combinations of capital.

Urges an inheritance tax and is not now opposed to an income tax.

Favors uniform laws throughout the States to check divorce evil.

Pays a high tribute to Japan, urges the passage of a law enabling Japanese to acquire citizenship, and sees danger in present strained relations.

Warns Cuba to be good and attend to business.

Wants the fighting strength of the navy maintained.

TERRY MCGOVERN CRAZY BEYOND CURE THIS TIME

Kings County Hospital Doctors Say He's Mental and Physical Wreck.

Terry McGovern, the prize-fighter, has gone crazy again, and this time it looks as though his madness has settled upon him permanently. He is in the observation ward of the Kings County Hospital, and experts who have examined him say that to allow him at large in his present state would endanger the lives of those whom he encounters.

His stepfather, Joseph Kenney, of Twentieth street and First avenue, Brooklyn, received a telegram yesterday afternoon from Washington telling him that Terry was insane and dangerous. He took the first train for the capital, and the first person he saw when he got there was Terry at the Pennsylvania Railroad station, clamoring for a free ride to New York and shouting that he was Roosevelt's pal.

Mr. Kenney got the young man on the midnight train and put him to bed in a sleeper. He was tired out and slept soundly until he got to Jersey City. On the way to the home of his wife, at No. 206 Eighteenth street, Brooklyn, he appeared to be rational and at breakfast he told in a connected way of his meeting with the President. Right after breakfast he stepped into the hall of his home, put on his overcoat, picked up a loaded six-inch shell that was given him by a sailor from a battleship after the Spanish-American war and started for the street.

He dropped the shell and prepared to fight, and when he reached the street he stood upon the order of his body else he left the block connected up and down the block went the crazy little fighter, waving the shell over his head and shouting that he could lick any man in the world.

The whole neighborhood was terrified. Everybody feared that Terry would succeed in exploding the shell. A telephone message was sent to Police Headquarters, and from there the fifth avenue station was notified of the situation in Eighteenth street. Captain

Langan hurried Policemen Parker and O'Connell, both of whom know McGovern, to the scene. Terry calmed down when he saw the policemen and consented to accompany them to the station-house. He was placed in the squad-room and an ambulance was summoned from Sonny Howell's. Sergeant Howell, after a cursory examination, refused to take Terry away.

"This is no medical case," declared the sergeant. "He is crazy—a mental and physical wreck—and the treatment he needs can be secured only at an insane asylum."

SHORT-PRICED HORSES WIN AT NEW ORLEANS

Toboggan Beats Out Rusk in the Third Race.

FOREIGNER SCORES TOO

Fine Weather and Fast Track for New Yorkers Down South.

NEW ORLEANS RESULTS.

FIRST RACE—Foreigner (11 to 5 and 4 to 5) 1. La Cache (4 to 5 for place) 2. Dr. Heard 3.

SECOND RACE—Marvel P. (5 to 1 and 2 to 1) 1. Ancestor (8 to 1 for place) 2. Esterro 3.

THIRD RACE—Toboggan (5 to 1 and 2 to 1) 1. Rusk (2 to 1 for place) 2. Airship 3.

FOURTH RACE—Missouri Lad (even and 1 to 3) 1. Shawana (even for place) 2. Flaviigny 3.

FAIR GROUNDS, NEW ORLEANS, Dec. 4.—Racegoers here to-day again had clear weather and sunshine. This is the eighth day of the meeting and a fast track has prevailed during that time. This is rather unusual for this track, where rainstorms are frequent and heavy.

There were no features on the card in the shape of stakes or handicaps, a majority of the events being cheap selling affairs. The only race of interest was the third, in which some very fair sprinters were carded. The attendance was excellent and was increased by a bunch of New Yorkers, who had come on from Benning.

Foreigner Takes First. FIRST RACE—One mile, selling. Name, Weight, Jockey, Str. Pl. Foreigner, 105, A. Martin, 11.5 4.3 Dr. Heard, 106, Lloyd, 12 2.5 La Cache, 102, Dickson, 11.5 4.3

Time—1:42 2-5. Attention was turned to the front at the start and made the running, followed by Adell and La Cache. On the turn Foreigner moved up strong and in the stretch wore down the leaders and won cleverly by a scant length from La Cache, who beat Dr. Heard a length for the place.

Marvel P. All the Way. SECOND RACE—Selling; five and a half furlongs. Name, Weight, Jockey, Str. Pl. Marvel P., 105, J. Hendon, 10 8 Ancestor, 107, Truman, 11.5 4.3 Esterro, 102, D. Austin, 12 2.5

Time—1:42 2-5. Attention was turned to the front at the start and made the running, followed by Adell and La Cache. On the turn Foreigner moved up strong and in the stretch wore down the leaders and won cleverly by a scant length from La Cache, who beat Dr. Heard a length for the place.

THIRD RACE—Selling; five and one-half furlongs. Name, Weight, Jockey, Str. Pl. Toboggan, 110, Mountain, 11.5 4.3 Rusk, 104, Van Dusen, 12 2.5 Airship, 102, Warren, 11.5 4.3

Time—1:42 2-5. Attention was turned to the front at the start and made the running, followed by Adell and La Cache. On the turn Foreigner moved up strong and in the stretch wore down the leaders and won cleverly by a scant length from La Cache, who beat Dr. Heard a length for the place.

AMBASSADOR WHITE SHIFTED TO FRANCE. WASHINGTON, Dec. 4.—Henry White, American Ambassador to Rome, will be transferred in the near future from that post to Paris, where he will succeed Robert S. McCormick as Ambassador.

Mr. White will be succeeded at Rome by Lloyd C. Griscom, now American Ambassador to Brazil.

Read World "Situation Wants" for competent help of any kind.

LATEST NEWS.

LATE WINNERS AT NEW ORLEANS.

Fifth—Pompadour 8-5, Anna Ruskin 6-5 place, Remined.

Sixth—Quinn Brady 6-5, Better Hand 6-5 pl., Merry Belle.

JUDGE CHARGES GILLETTE JURY ON LAW ONLY.

HERKIMER, N. Y., Dec. 4.—Judge Devendorf devoted his charge in the Gillette case entirely to the law, as he said the long arguments of counsel had fully reviewed the evidence. In closing he said:

"Gentlemen, I believe that you will return a verdict according to the evidence and not be influenced by any sentiment or prejudice. You have no right to permit any sympathy, sorrow or favor to swerve your judgment. It rests upon your decision to give the defendant the death penalty, or the freedom that he seeks."

WOMAN LEAPS TO DEATH FROM FERRY-BOAT.

Miss Ruth Miner, forty years old, of Cornwall, Conn., committed suicide to-day by jumping off the ferry-boat Pittsburg while the boat was in midstream off Twenty-third street. The boat was stopped and boats lowered, but the body was not recovered.

TEXAN VICTIM OF A NEW FLIM-FLAM GAME OF "POLICE"

E. A. Watzem, of San Antonio, Tex., traveling freight agent of the International and Great Northern Railway, who is stopping at the Elks Club, told a strange story in Jefferson Market Court to-day. He said that while he was punning a man who had insulted him at the northwest corner of Forty-second street and Sixth avenue last night a man in policeman's uniform grabbed hold of him and said: "You're under arrest."

Mr. Watzem said the policeman walked about three blocks with him and then through a door into a brilliantly lighted room with a desk and a couple of chairs. "You know, you're under arrest," said the man to Mr. Watzem. "Will you be locked up all night?" asked Mr. Watzem.

"Yes, unless you can furnish bail," the policeman responded. "I have but \$16 in cash," said Watzem to the policeman, "but I have a diamond pin valued at \$200." Watzem said the policeman then took his and the diamond pin and told him to be in Jefferson Market Court at 11 o'clock to-day.

sentiment is growing throughout Japan and is fostered by the authorities. The Town Hall of this city, a memorial of the visit of Gen. Grant to Japan on his tour around the world, was destroyed by fire to-day. The radicals do not hesitate to assert that the structure was set on fire as a warning to the United States that the restrictions upon Japanese immigration must be lifted.

All of the newspapers are carrying long articles on the difficulties that have arisen between Japan and the United States. The tone of the press is subtle, but the temper of the people is reflected in the pessimistic trend of the published statements.

Nothing could be more calculated to arouse the temper of the people than the wanton destruction of the magnificent Grant memorial. It has stood for years as an emblem of the friendly feeling existing between the United States and this country. Great crowds surround the ruins to-day and the spirit of the comment upon the incident is decidedly warlike.

Cinematograph pictures of scenes following the San Francisco earthquake, which have been shown here, will no longer be seen in Japan. The Government has ordered the discontinuance of these exhibitions, for the reason that the pictures show representations of Mayor Schmitz and other officials of San Francisco responsible for the order segregating Japanese residents in the schools.

WASHINGTON, Dec. 4.—President Roosevelt's discussion of the San Francisco school situation in his message to-day was received with great dissatisfaction by the California delegation in the House. The members of the delegation from that State are unanimous in their declaration that no treaty rights have been violated in excluding Japanese from public schools attended by whites.

Representative Hayes said that if any treaty of the United States prohibits California from running its schools as it sees fit the treaty is clearly unconstitutional and should not stand. A meeting of the California delegation will soon be held to discuss the San Francisco situation.

NEW ULAM, Minn., Dec. 4.—Judge B. F. Webber, former Judge of the District Court of Brown and adjacent

Bitter Attack by State's Attorney in Summing Up, and Picture of Cruel, Brutal Murder Compels Prisoner to Weep in Self-Pity.

"CONVICTED BY HIS OWN TONGUE," CRIES MR. WARD.

Grace Brown's Letters Again Read with Telling Effect—Defense's Story Ridiculed—Case Is to Reach Jury Late To-Day.

(Special From a Staff Correspondent.)

HERKIMER, Dec. 4.—The Gillette case went to the jury late this afternoon. District Attorney Ward finished his address at 4:13 o'clock—an address in which with bitter invective and ruthless sarcasm he attacked Gillette and the defense made for him by his able counsel, and cried in the name of the State for justice upon the alleged slayer of Grace Brown. It was not as clear, as logical, as polished an address as that made by Senator Mills yesterday, but it was one that appealed to the jury.

With bitter words he kept clear as the motive of the crime the desire of Gillette to get rid of the girl he had ruined, and so avert disgrace for himself. With keen shafts of sarcasm he pierced the armor of the defense, and as he thundered, "Why did she kill herself if, as Gillette swears, he intended to marry her?" the prisoner himself quailed, and tears came into his eyes.

They were not tears for Grace Brown, but the petulant tears of self-pity. Abuse had finally worn down his nerve, and reached him where sympathy had failed to bring any sign of emotion from him. The young man seemed on the edge of collapse before the prosecutor had half finished.

It was 10 degrees below zero when court opened, and this caused a falling off in the crowds outside the court. Gillette smiled as he came in, but the smile vanished quickly as Mr. Ward resumed his address. In their army at Mohawk, across the river, the Thirty-first Separate Company, State Militia, awaited the call to guarding the door and Court from the hall of the Judge's charge to the finding of the verdict.

In taking up his speech to-day, Mr. Ward first aspersed the charge of defendant's counsel, relating to conflicting evidence on minor points in the case. Then he worked his mind to commit a murder, a disgusting, blood-thirsty, brutal mind. The murderer must see all red.

"Here was a man, posing as a paragon of virtue, who skulks into the home of his victim in the night and ruins her. He did not want the world to know what he had done, so he took that poor little girl up to Big Moose Lake and killed her."

"He said to himself, 'I have deceived her, and I have deceived every one, so I will take her to the lake and ruin her. When her body is found they will think she was drowned in the company of a strange man.' Then he thought he could sneak away from his murder, go back to Cortland and again mingle in society."

Proved Promise to Wed. The Prosecutor said that the State has proved that a contract to marry between Gillette and Grace Brown existed by the girl's letters.

"They call this defendant a weak, inexperienced boy," said Mr. Ward. "The boy carried this boat a quarter of a mile on his shoulders and yet was so weak he could not pull that 100-pound girl out of the water. This inexperienced boy began his inexperienced career nine years ago on the Pacific coast. He got more inexperience as a brakeman on many railroads."

"This boy went into Cortland and became the friend of the church, of a college professor and of society folk. His wealthy uncle put him in his factory. Then while this inexperienced boy worked in that factory a little flower came down from the hills. He sought this flower and crushed the petals one by one and ground them under his feet."

"This inexperienced boy overcame his frail little victim. He held her arms. He wound his venomous coils around her in the mill, followed her to her sister's home and ruined her. He did this, and could then go up on the stand, look at you out of his wolfish eyes and say 'I loved her.'"

Yes, he loved her in his wicked, serpent way. But he told no one of his love.

Gentlemen, I believe that girl received her death blow grateful-

ly, she looked tenderly and forgivingly upon the monster who had ruined her. Why, her murder was a thousand times kinder than some of the things he had made her suffer."

District Attorney Ward read extracts from the dead girl's letters, laying particular emphasis on the one in which she threatened to come to Cortland unless he came to her.

"He did not want her to come to Cortland," cried Mr. Ward, "for he was afraid she might tell her wrong to the world."

Sent Away to Save Him. "He sent her away from Cortland for fear her condition might become apparent. He saw her working in the factory. He saw this poor, frail, little hundred-pound child toiling day after day and knew her condition. Did he lift a hand to help her? Did he comfort her? No. He said, 'You go home.' He was afraid the uncle might find it out. He was afraid Miss Benedict might find it out."

"So he sent her home and said: 'Soon, when I get my vacation, I will come and fix your case,' and before he went to her he told her not to let a soul hear he was coming."

"And what did he say to Grace Brown when he came and met her and saw her talking to a girl in the Taber House at De Ruyter? He asked her: 'Did you tell that girl? Why did he ask her that? Because he was afraid this girl might know he was cheating Gillette, and that he was taking her away, to stay, to put her out of his way, to rid himself of the burden of that little flower he had crushed.'"

Gentlemen of the jury, the hand of God guided the tongue of the murderer to his own conviction."

The District Attorney read many of Grace Brown's letters, commenting on every pathetic paragraph and hurling scornful thrusts at Gillette. He proved by the letters that the prisoner had told many lies on the stand that had been overlooked in the cross-examination.

Lied in Letters and on Stand. "This cool, courageous scoundrel could not remember these letters," said Mr. Ward. "The criminal mind cannot carry a train of thought for very long and that is why he lied in his letters and lied in his testimony. Yet his counsel would have you believe him as if he were a saint."

"This poor girl tried to do one of her letters to touch the heart of this man, to reach some tender, sympathetic part. Think of it, that poor little girl trying to reach this man's heart. Why, she could have found the same sort of heart in the ravening wolf that met little Red Riding Hood. She reached for a heart where there was nothing but cruelty and crime."

With great feeling Ward read "Billy Brown's letter in which she said, 'I